UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,543	10/30/2003	Scott Lynn Maddux	AGLE0061	3050

22862 7590 02/25/2008

GLENN PATENT GROUP
3475 EDISON WAY, SUITE L
MENLO PARK, CA 94025

EXAMINER	
LERNER, MARTIN	

ART UNIT	PAPER NUMBER
2626	

MAIL DATE	DELIVERY MODE
02/25/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/699,543	MADDUX ET AL.	
	Examiner	Art Unit	
	Martin Lerner	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 January 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *31 to 33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *31 to 33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 33 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicants are required to amend the claim to place the claim in proper dependent form.

Claim 33 depends upon claim 30, which is a cancelled claim. Claim 33 should be amended to depend upon independent claim 31, or claim 32, and is so treated for purposes of examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 31 to 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Hunt et al.* in view of *Houser et al.*

Concerning independent claim 31, *Hunt et al.* discloses a system and method for interfacing speech recognition grammars, comprising:

"establishing various grammars each grammar including various utterances and, for each utterance, the following associated attributes: (1) an indication of whether the

utterance is linked to a further grammar, or (2) metadata indicating a type of data specified by the utterance" – speech controller object 52 defines a recognition grammar providing recognition of spoken commands ("various utterances"); the grammars stored in the speech controller modules 72 are each provided with unique names, for example Grammar_A and Grammar_B (column 4, lines 35 to 37; column 4, lines 62 to 66); the grammar within speech controller 72a is stored in a table 80, which includes a number of entries 80a, 80b, 80c, etc; each entry in the table includes a rule definition and one or more enabling conditions (column 5, lines 7 to 11: Figure 3); rules within recognition grammars may be linked together by references (column 5, line 61 to column 6, line 7: Figure 3); rules within a GRAMMAR_A may reference a rule within GRAMMAR_B as <GRAMMAR_B.rule1> ("(1) an indication of whether the utterance is linked to a further grammar") (column 7, lines 11 to 20: Figure 3); items in a sequence may be any legal expansion, including logical structures such as alternatives and groups; a rule may be defined as a set of alternative expansions separated by a predetermined character or characters such as a vertical bar "|"; for example, <name> = Michael|Yuriko|Mary|Duke|<otherNames> (column 9, lines 29 to 51); a <name> definition is "(2) metadata indicating a type of data specified by the utterance"; thus, at least one of (1) or (2) are disclosed;

"where each one of the various grammars further includes, for each utterance that is linked to a further grammar, a link identifying the further grammar for importing responsive to a user issuing that utterance while said further grammar is activated for speech recognition" – rules within a GRAMMAR_A may reference a rule within

GRAMMAR_B as <GRAMMAR_B.rule1> (column 7, lines 11 to 20: Figure 3); an "import" declaration allows one or all of the public rules of another grammar to be referenced locally; examples of import declarations are "import <GrammarName.*>"; the import statement requests the import of all public rules of a grammar referred to by its unique GrammarName (column 8, lines 43 to 56: Figure 3).

Concerning independent claim 31, *Houser et al.* discloses a system for controlling a device such as a television and for controlling access to broadcast information such as video (Abstract), comprising:

"where the various grammars include command grammars and information-type grammars, and: utterances in the command grammars form commands to control a manner of presenting video programs; utterances in the information-type grammars form keywords pertaining to content of video programs" – command grammars include commands "GOTO CHANNEL NUMBER" and "VOLUME UP" ("controlling a manner of presenting video programs") (column 18, lines 21 to 60); additionally, a user may be provided with the capability of searching on keywords; commanding "FIND STAR TREK" will cause a search of the EPG data to be carried out; similarly, a command "SEARCH KEYWORDS" and "ONLY MARILYN MONROE" will cause a search for movies starring Marilyn Monroe ("information-type grammars form keywords pertaining to content of video programs") (column 30, lines 6 to 60).

Concerning independent claim 31, *Houser et al.* discloses grammars including command grammars and information-type grammars, but does not disclose the concept of linking the grammars by an indication of whether an utterance is linked to another

grammar, and a link identifying the further grammar for importing. However, *Hunt et al.* teaches linking grammars for speech recognition, where rules include import statement requests to import rules of another grammar into a current grammar. An objective is to provide a system for speech recognition that does not require or rely on development and maintenance of a single, monolithic recognition grammar, but allows for sophisticated and complex user inputs in a system that is relatively easy to use and maintain. (Column 2, Lines 53 to 59) It would have been obvious to one having ordinary skill in the art to incorporate the feature of linking grammars by an indication of whether an utterance is linked to another grammar and identifying a link for importing the grammar as taught by *Hunt et al.* in a system for controlling a device such as a television and for controlling access to broadcast information such as video of *Houser et al.* for a purpose of permitting sophisticated and complex inputs into a system for speech recognition that is easy to use and maintain but does not require a single monolithic recognition grammar.

Concerning claim 32, *Hunt et al.* discloses:

"if said grammar lacks a link from the utterance to a further grammar, processing said utterance based on (1) application context of a user-driven system for presenting video programs and (2) type of data specified by the received utterance according to the given grammar" – a grammar within speech controller 72a is stored within a table 80; each entry in the table 80 includes a rule definition and one or more enabling conditions (column 5, lines 8 to 11: Figure 3); during operation, the speech controller modules 72a

and 72b load the recognition grammars they contain into the speech recognizer 78, maintaining an "enabled" or "not enabled" status, reflecting whether the conditions that enable that rule have been satisfied; speech controller module detects, or is notified, that an enabling condition has been satisfied, for example, by detecting a change in the data or state of its corresponding program component (column 5, lines 40 to 54: Figure 3); thus, an "application context", as required by the state of the program, determines whether a grammar is enabled ("(1) application context of a user-driven system"); rules within a grammar need not be "import" declarations for importing another grammar into a current grammar ("if said grammar lacks a link from the utterance to a further grammar"), but can be a rule defined by a sequence of expansions; items in a sequence may be any legal expansion, including logical structures such as alternatives and groups; a rule may be defined as a set of alternative expansions separated by a predetermined character or characters such as a vertical bar "|"; for example, <name> = Michael|Yuriko|Mary|Duke|<otherNames> (column 9, lines 29 to 51); a <name> definition is "(2) type of data specified by the received utterance according to the given grammar."

Concerning claim 33, *Houser et al.* discloses at least searching for a "program name" of STAR TREK, an "actor" of "MARILYN MONROE", a "genre" of "WESTERN", director, and rating (column 30, lines 6 to 60).

Conclusion

4. Applicants' amendment necessitated the new grounds of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. The prior art made of record and not relied upon is considered pertinent to Applicants' disclosure.

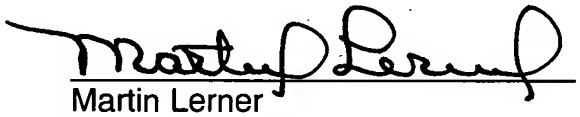
Keiller discloses linking grammars in speech recognition in a manner similar to *Hunt et al.*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Martin Lerner whose telephone number is (571) 272-7608. The examiner can normally be reached on 8:30 AM to 6:00 PM Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ML
2/21/08



Martin Lerner
Examiner
Group Art Unit 2626